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October 1992

Wells Resource Management Plan

PROPOSED
Wild Horse Amendment and Environmental Assessment

Photo by Gary Back, BLM Wildlife Biologist, Elko

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1992b

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BLM-EK-PT-93-001-1610

United States Department of the Interior

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October, 2, 1992

Dear Reader:

Enclosed for your review is the Wells Resource Management Plan (RMP) Proposed Wild Horse Amendment and Environment Assessment (EA). This amendment analyzes the impacts of several alternatives for maintaining and managing wild horses in the Wells Resource Area, Elko District of the Bureau of Land Management (BLM). It has incorporated all relevant comments received during public review of the draft plan. This document contains a Finding of No Significant Impact (FONSI). It is also available for a 30 day protest period.

This Proposed RMP Amendment may be protested by any person who participated in the planning process and who has an interest which is or may be adversely affected by the approval of the plan amendment. A protest may raise only those issues which were submitted for the record during the planning process (see 43 Code of Federal Regulations 1610.5-2). Protests must be filed with the Director of the Bureau of Land Management, 1849 C Street, N.W., Washington D.C. 20240. All protests must be written and must be postmarked on or before November 20, 1992 and shall contain the following information:

1) The name, mailing address, telephone number, and interest of the person filing the protest.

2) A statement of the issue or issues being protested.

3) A statement of the part or parts of the document being protested.

4) A copy of all documents addressing the issue or issues previously submitted during the planning process by the protesting party, or an indication of the date the issue or issues were discussed for the records.

5) A short, concise statement explaining precisely why the BLM's Nevada State Director's decision is wrong.

Upon resolution of any protests, an Approved Amendment and Decision Record will be issued. The Approved Amendment will be mailed to all individuals who participated in its development and to all other interested publics upon their request.

Sincerely,

Billy R. Templeton
State Director, Nevada

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WELLS RESOURCE MANAGEMENT PLAN

PROPOSED
WILD HORSE AMENDMENT
and
ENVIRONMENTAL ASSESSMENT

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Prepared by
DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT
ELKO DISTRICT

Billy R. Templeton
State Director, Nevada

October 2, 1992

The Wells Resource Management Plan Proposed Wild Horse Amendment and Environmental Assessment outlines and analyzes the impact for the Proposed Plan and two alternatives for the management of wild horses in the southeast part of Elko County, Nevada by the Wells Resource Area, Elko District of the Bureau of Land Management.

For further information contact: Bruce Portwood, District Wild Horse Specialist, Bureau of Land Management, P.O. Box 831, 3900 East Idaho Street, Elko, Nevada 89801, or telephone (702) 753-0200.

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WELLS RESOURCE MANAGEMENT PLAN

PROPOSED
WILD HORSE AMENDMENT
and
ENVIRONMENTAL ASSESSMENT

I. INTRODUCTION

Through a review of wild horse management in the Wells Resource Area, it was determined that problems were occurring with wild horses grazing on private lands in checkerboard areas (areas with alternating sections of public and private lands). As per P.L. 92-195, wild horses must be removed from unfenced private land when requested by the private landowner. Requests have been made to remove wild horses from private land in the checkerboard areas. These requests have been made in writing and have established horse locations on private land by legal description. The most reasonable way to address the problem of wild horses using private lands in checkerboard areas is complete removal of horses. Simply moving horses to adjacent public land areas will not keep them from returning to the private land.

It was also determined that there were no wild horse herd management areas (HMA) designated for the maintenance and management of wild horses in the Wells Record of Decision (ROD) and Approved Resource Management Plan (RMP). As a result of these determinations, the decision was made by the Nevada State Director to amend this RMP to correct these problems.

Purpose and Need for the Amendment:

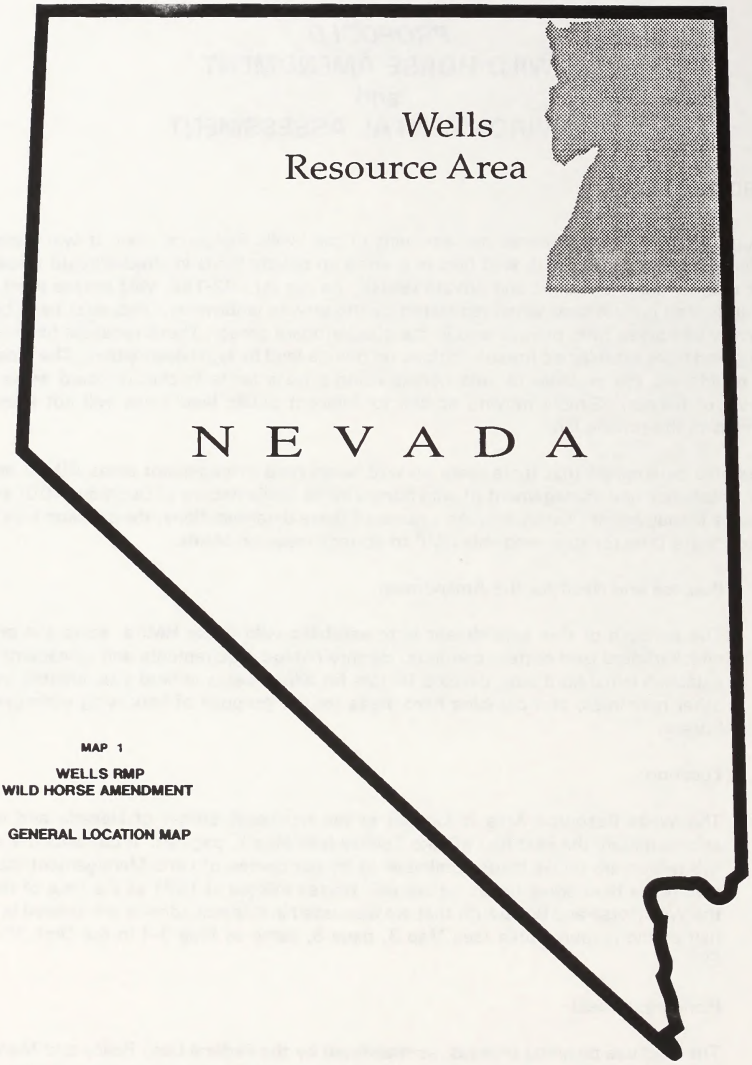
The purpose of this amendment is to establish wild horse HMAs, solve the problems with checkerboard land pattern conflicts, identify habitat requirements and management practices, establish initial herd size, develop factors for adjustments in herd size, identify constraints on other resources, and combine herd areas for the purpose of improving management of wild horses.

Location:

The Wells Resource Area is located in the northeast corner of Nevada and encompasses approximately the east half of Elko County (see Map 1, page 2). It contains 5.7 million acres, 4.3 million are public lands administered by the Bureau of Land Management (BLM). The six wild horse herd areas (areas where wild horses existed in 1971 at the time of the passage of the Wild Horse and Burro Act) that are discussed in this amendment are located in the southern half of the resource area (see Map 3, page 8, same as Map 3-4 in the Draft Wells RMP and EIS).

Planning Process:

The land use planning process, as mandated by the Federal Land Policy and Management Act (FLPMA) of 1976, is designed to enable BLM to address the issues and concerns of the public in outlining the management of the public lands within logical planning areas. This process involves nine basic planning steps. They are: 1) Identification of Issues; 2) Development of Planning Criteria; 3) Inventory and Data Collection; 4) Analysis of the Management Situation; 5) Formulation of Alternatives; 6) Estimation of Effects of Alternatives; 7) Selection of the Preferred Alternative; 8) Selection of the Proposed Plan; and 9) Monitoring and Evaluation.



MAP 1

WELLS RMP
WILD HORSE AMENDMENT

GENERAL LOCATION MAP

This proposed amendment will address steps 1 through 8. For additional information, see the existing Draft Wells RMP and Environmental Impact Statement (EIS), the Proposed Wells RMP and Final EIS, and the Wells RMP Record of Decision and Approved Plan.

II. PLANNING ISSUES AND CRITERIA

During this amendment's 30 day scoping period, from January 28, 1992 to March 6, 1992, the public was asked by BLM to help identify planning issues and planning criteria to be used for the management of wild horses in the Wells Resource Area. The public was also asked to help identify alternatives to be evaluated in this amendment.

The following is a discussion of the purpose of planning issues and planning criteria. This discussion also outlines the issues and criteria that were used to guide the development of this amendment.

Planning Issues:

A planning issue is defined as an opportunity, conflict, or problem pertaining to the management of public lands and associated resources. Issues drive the resource management planning process and indicate specific concerns which the BLM and the public may have regarding the management of specific resources in a planning area. Identification of issues orients the planning process so that the efforts of an interdisciplinary analysis and documentation are directed toward resolution of the issues.

It has been determined that this amendment will address only the issue of wild horse management. In addressing this issue, the amendment will respond to the following planning questions:

1. In what herd areas will wild horses be maintained and managed by BLM?
2. What wild horse habitat requirements and management practices are needed for each HMA?
3. At what population levels will wild horses be managed?
4. How will adjustments be made in management levels?
5. What constraints, if any, will be placed on other resource uses?

Planning Criteria:

Planning criteria are formulated to guide the development of a resource plan or an amendment to the resource plan. Planning criteria are derived from laws, Executive Orders, regulations, planning principles, BLM national and state guidance, consultation with interest groups and the general public, and available resource information of the area. Planning criteria help to: 1) set standards for data collection; 2) establish alternatives to be analyzed; and 3) select the preferred alternative.

The planning criteria for this RMP amendment are:

1. Establish wild horse HMAs where wild horses occurred on December 15, 1971 and where land ownership patterns are compatible with management of wild horses.

2. Establish management levels by determining minimum numbers necessary to maintain viable herds and maximum numbers compatible with maintaining a thriving natural ecological balance and multiple use relationships.

III. PROPOSED PLAN AND OTHER ALTERNATIVES ANALYZED

Proposed Plan:

The Proposed Plan combines the management of the six existing herd areas in the Wells Resource Area into four herd management areas.

All areas of checkerboard land ownership, including all of the Toano Herd Area and portions of the Goshute and Spruce-Pequop Herd Areas, will be managed as horse free areas. The management of wild horses begins at initial herd size and will be maintained in designated HMAs. Adjustments will be based on monitoring and grazing allotment evaluations. Wild horse numbers in excess of the initial herd size would be removed within statewide priorities.

Objectives:

1. To manage wild horses only on areas where requests for removal of animals will not hinder management.

2. To manage wild horses within HMAs and to maintain a thriving natural ecological balance consistent with other resource needs.

3. To combine portions of the wild horse herd areas where horses intermix between herd areas.

Management Determinations:

Management determinations for each HMA are outlined in Table 1 and shown on Map 2, page 6.

1. Delineate four HMAs as follows:

   Antelope Valley Herd Area
   Goshute Herd Area
   Maverick-Medicine Herd Area
   Spruce-Pequop Herd Area

2. Combine the east portion of the Cherry Creek Herd Area (44 percent of the total herd area) with the Antelope Valley HMA and the west portion of the Cherry Creek Herd Area (56 percent) with the Maverick-Medicine HMA.

3. Remove all wild horses from checkerboard areas, which include all of the Toano Herd Area and portions of the Goshute and Spruce-Pequop Herd Areas and manage them as wild horse free areas.

4. Remove sufficient wild horses to attain the initial herd size and maintain populations at a level which will maintain a thriving natural ecological balance consistent with other resource values.

5. Develop eight water sources to improve wild horse distribution, modify approximately one mile of existing fence so as not to impede wild-free roaming behavior, and construct approximately eighteen miles of new fence to prevent the return of wild horses to checkerboard land patterns.

TABLE 1
MANAGEMENT DETERMINATIONS FOR HERD MANAGEMENT AREAS - PROPOSED PLAN

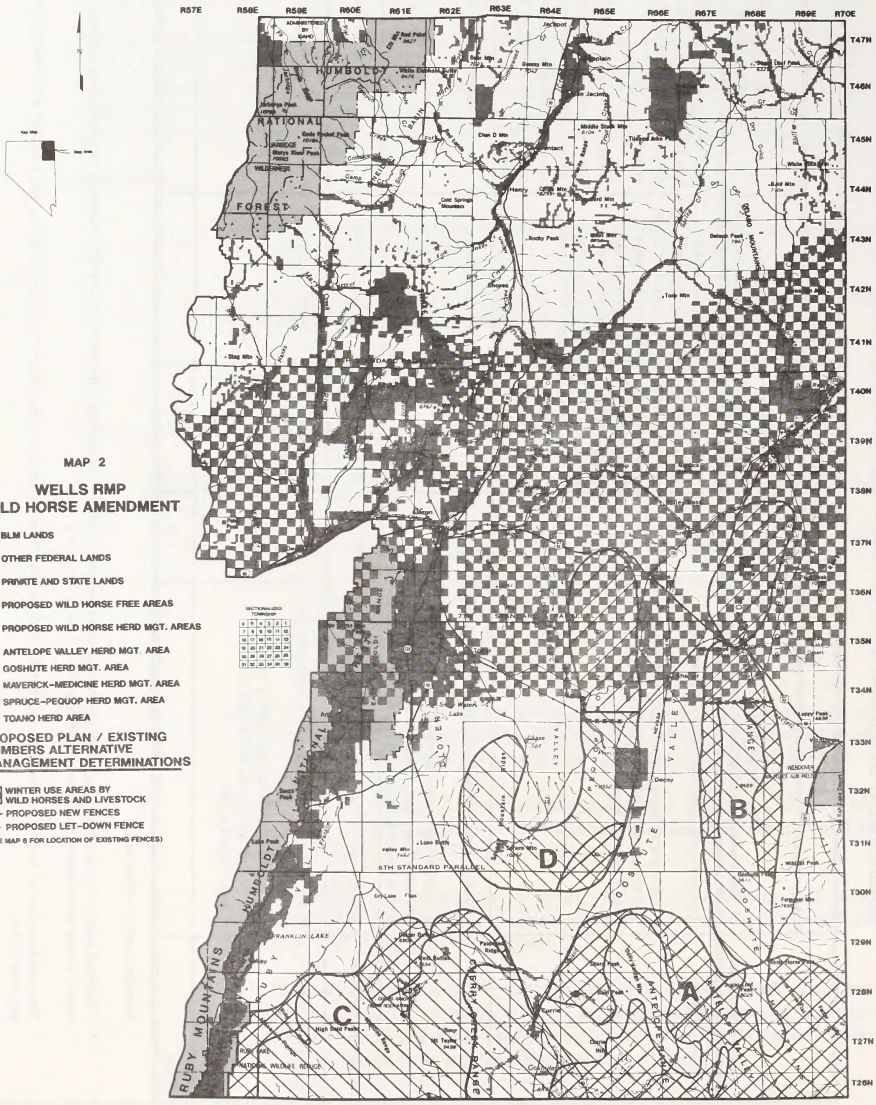
Herd Mgt Areas	Management Determinations				
	Wild Horse Habitat Requirements and Management Practices	Herd Size[1]		Herd Size Adjustment Factors	Other Resource Constraints
		Initial[2]	Long-Term		
Antelope Velley[3]	Develop additional waters on summer range. Modify the existing fence between the Currie and Spruce Allotments to a let-down fence (two half-mile segments).	240	Adjustments will be based on monitoring and grazing allotment evaluations.	Utilization of key forage species by wild horses in areas used in common will not exceed an average of ten[4] percent prior to entry by livestock.	Utilization by all grezing enimels will not exceed 55 percent on key forage species by March 31st on winter range. New fencing will only be used when other practices such as control of water, salting, and herding heve proved ineffective in providing proper distribution of ell grazing animals.
Goshute	Develop additional waters on summer range. Construct up to nine miles of drift or gap fences, if necessary, to prevent wild horse drift north onto checkerboard lands.	160	Same as above.	Same as above.	Same as above.
Meverick-Medicine[3]	Develop additional waters to provide better distribution.	389	Same as above.	Same as above.	Same as above.
Spruce-Pequop	Develop additional waters on summer renge. Construct a fence (approximately nine miles) to prevent wild horse drift north onto checkerboard lands.	82	Same as above.	Same as above.	Same es ebove.
Total		871			

[1] Numbers ere in animel units.

[2] The initial numbers were developed through the use of vegetative studies. Monitoring date from 1990-1992 indicetes that horse use has increased on the winter renge while livestock use hes decreesed in common use areas.

[3] The initial number of horses for the Cherry Creek Herd Area heve been incorporeted into both the Antelope Valley (25 percent) end Maverick-Medicine (75 percent) HMAs.

[4] Ten percent use of key forage species (midpoint of slight use category) by wild horses prior to entry by livestock is the level thet cen be used end still not exceed the total use of 55 percent by March 31st in areas used in common by ell grezing animals.


MAP 2
WELLS RMP
WILD HORSE AMENDMENT
BLM LANDS
OTHER FEDERAL LANDS
PRIVATE AND STATE LANDS
PROPOSED WILD HORSE FREE AREAS
PROPOSED WILD HORSE HERD MGT. AREAS
A. ANTELOPE VALLEY HERD MGT. AREA
B. GOSHUTE HERD MGT. AREA
C. MAVERICK-MEDICINE HERD MGT. AREA
D. SPRUCE-PEQUOP HERD MGT. AREA
E. TOANO HERD AREA
PROPOSED PLAN / EXISTING NUMBERS ALTERNATIVE MANAGEMENT DETERMINATIONS
WINTER USE AREAS BY WILD HORSES AND LIVESTOCK
PROPOSED NEW FENCES
PROPOSED LET-DOWN FENCE
(SEE MAP 6 FOR LOCATION OF EXISTING FENCES)
R57E
R58E
R59E
R60E
R61E
R62E
R63E
R64E
R65E
R66E
R67E
R68E
R69E
R70E
T47N
T46N
T45N
T44N
T43N
T42N
T41N
T40N
T39N
T38N
T37N
T36N
T35N
T34N
T33N
T32N
T31N
T30N
T29N
T28N
T27N
T26N
HUMBOLDT
NATIONAL
FOREST
6TH STANDARD PARALLEL
FRANKLIN LAKE
RUBY MOUNTAINS
A
B
C
D

No Action Alternative:

The management of wild horses will continue under the existing short and long-term management actions (management determinations) as they currently exist in the Approved Wells RMP (see Map 3, page 8).

Objectives:

1. To continue management of the six existing wild horse herds consistent with other resource uses.

Short and Long-Term Management Actions:

1. Continue to monitor wild horse populations and habitat conditions.

2. Conduct wild horse gatherings as necessary and maintain populations within a range from 550 to 700 animals. The Toano Herd would be maintained at 20 animals (see Table 2).

3. Construct six water development projects (catchment type) with storage tanks and troughs.

4. Remove wild horses from private lands if required.

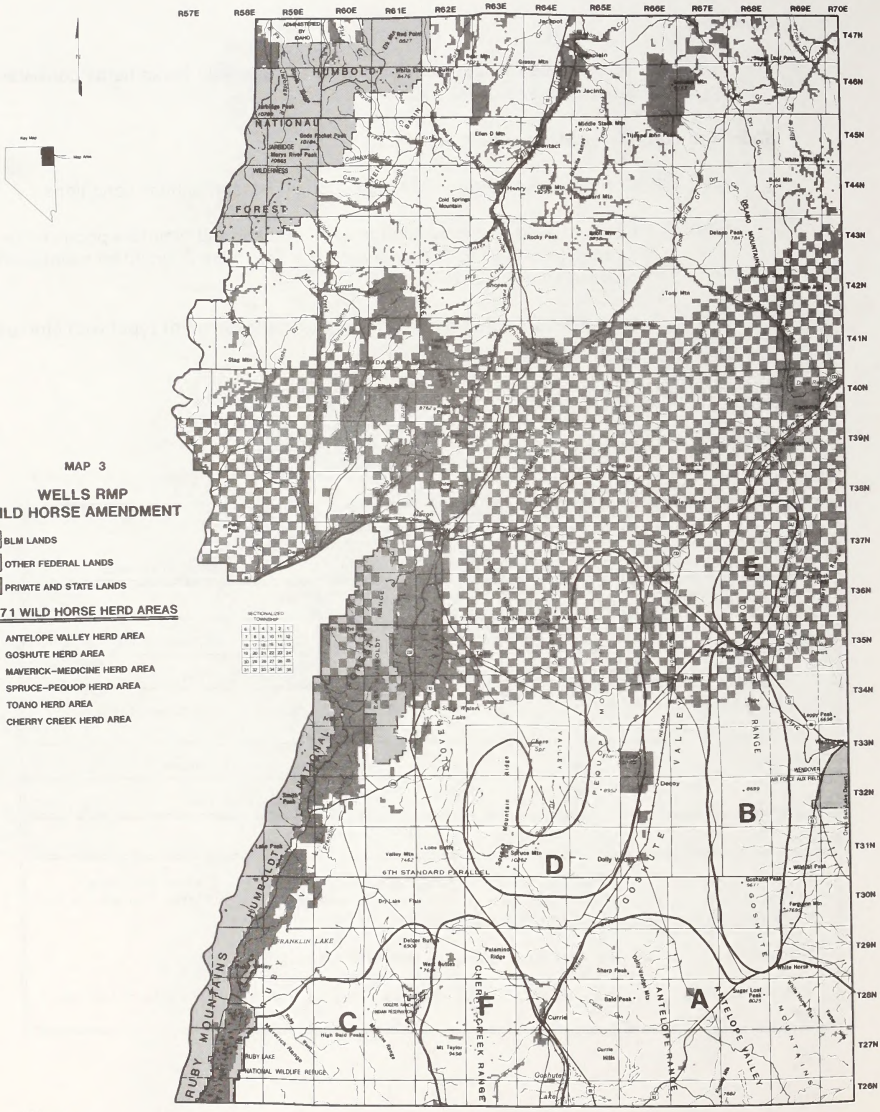
TABLE 2
WILD HORSE HERD AREA CHARACTERISTICS[1]

Herd Area	Herd Size		Resource Conflicts		Conflict Allotments
	1978	1981[2]	Fences	Humans[3]	
Antelope Valley	449	164			
Cherry Creek	74	64	X		Currie, West Cherry Creek
Goshutes	129	120		X	Big Springs, Pilot
Maverick-Medicine	112	244	X		Maverick, West Cherry Creek, Spruce, Odgers, Currie
Spruce-Pequop	-	20	X	X	Big Springs, Spruce
Toano	-	20	X	X	Big Springs, Pilot
Totals	764	692	-	-	

[1] The information in this Table has been brought forward from the Draft Wells RMP to show the average number of wild horses by herd area that were to be maintained within the range of 550 to 700 animals for the Wells Resource Area (see Table 3-3 on page 3-8 in the Draft Wells RMP and EIS).

[2] The total for 1981 is less than 1978 because animals were removed in 1980.

[3] Requests have been received by various private landowners to remove wild horses from unfenced private lands since 1987.


MAP 3
WELLS RMP
WILD HORSE AMENDMENT
BLM LANDS
OTHER FEDERAL LANDS
PRIVATE AND STATE LANDS
1971 WILD HORSE HERD AREAS
A. ANTELOPE VALLEY HERD AREA
B. GOSHUTE HERD AREA
C. MAVERICK-MEDICINE HERD AREA
D. SPRUCE-PEQUOP HERD AREA
E. TOANO HERD AREA
F. CHERRY CREEK HERD AREA
R57E
R58E
R59E
R60E
R61E
R62E
R63E
R64E
R65E
R66E
R67E
R68E
R69E
R70E
T47N
T46N
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T32N
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T30N
T29N
T28N
T27N
T26N
HUMBOLDT
NATIONAL
FOREST
6TH STANDARD PARALLEL
RUBY MOUNTAINS
CHERRY CREEK RANGE
ANTELOPE RANGE
ANTELOPE VALLEY
GOSHUTE
A
B
C
D
E
F

Current Numbers Alternative:

The management of wild horses will continue with current numbers and any adjustments will be based on monitoring and grazing allotment evaluations.

All areas of checkerboard land ownership, including all of the Toano Herd Area and portions of the Goshute and Spruce-Pequop Herd Areas, will be managed as horse free areas. Adjustments will be based on monitoring and grazing allotment evaluations. Wild horse numbers in excess of the optimal herd size established by allotment evaluations would be removed within statewide priorities for removal of wild horses.

Objectives:

1. To manage wild horses only on areas where requests for removal of animals will not hinder management.

2. To manage wild horses within HMAs and to maintain a thriving natural ecological balance consistent with other resource needs.

3. To combine portions of the wild horse herd areas where horses intermix between herd areas.

Management Determinations:

Management determinations for each HMA are outlined in Table 3 and shown on Map 2, page 6.

1. Delineate four HMAs as follows:

   Antelope Valley Herd Area
   Goshute Herd Area
   Maverick-Medicine Herd Area
   Spruce-Pequop Herd Area

2. Combine the east portion of the Cherry Creek Herd Area (44 percent of the total herd area) with the Antelope Valley HMA and the west portion of the Cherry Creek Herd Area (56 percent) with the Maverick-Medicine HMA.

3. Remove all wild horses from checkerboard areas, which include all of the Toano Herd Area and portions of the Goshute and Spruce-Pequop Herd Areas and manage them as wild horse free areas.

4. Develop eight water sources to improve wild horse distribution, modify approximately one mile of existing fence so as not to impede wild-free roaming behavior, and construct approximately eighteen miles of new fence to prevent the return of wild horses to checkerboard land patterns.

TABLE 3
MANAGEMENT DETERMINATIONS FOR HERD MANAGEMENT AREAS - EXISTING NUMBERS ALTERNATIVE

Herd Mgt Areas	Management Determinations				
	Wild Horse Habitat Requirements and Management Practices	Herd Size[1]		Herd Size Adjustment Factors	Other Resource Constraints
		Current[2]	Long-Term		
Antelope Valley[3]	Develop additional waters on summer range. Modify the existing fence between the Currie and Spruce Grazing Allotments to a let-down fence (two half-mile segments).	538	Adjustments will be based on monitoring and grazing allotment adjustments.	Utilization of key forage species by wild horses in areas used in common will not exceed an average of ten[4] percent prior to entry by livestock.	Utilization by all grazing animals will not exceed 55 percent on key forage species by March 31st on winter range. New fencing will only be used when other practices for livestock management, such as, control of water, salting, and herding have proved ineffective in providing proper distribution of all grazing animals.
Goshute	Develop additional waters on summer range. Construct up to nine miles of drift or gap fences, if necessary, to prevent wild horse drift north onto checkerboard lands.	396	Same as above.	Same as above.	Same as above.
Maverick-Medicine[3]	Develop additional waters to provide better distribution.	770	Same as above.	Same as above.	Same as above.
Spruce-Pequop	Develop additional waters on summer range. Construct a fence (approximately nine miles) to prevent wild horse drift north onto checkerboard lands.	82	Same as above.	Same as above.	Same as above.
Total		1786			

[1] Numbers are in animal units.

[2] The current number of wild horses were determined by using a 20 percent annual increase. This percentage is a result of data obtained from wild horse gathers conducted statewide. These totals were calculated by using the number of foaling seasons from the last inventory through the time this amendment is projected to be completed in October, 1992.

[3] The current number of horses for the Cherry Creek Herd Area have been incorporated into both the Antelope Valley (25 percent) and Maverick-Medicine (75 percent) HMAs.

[4] Ten percent use of key forage species (midpoint of slight use category) by wild horses prior to entry by livestock is the level that can be used and still not exceed the total use of 55 percent by March 31st in areas used in common by all grazing animals.

Table 4 summarizes the wild horse herd size for the Proposed Plan and by alternative. Table 5 displays the acreage by ownership category of the wild horse herd areas for the Proposed Plan and alternatives. Approximately 44 percent of the current Cherry Creek Herd Area is proposed to be combined with the Antelope Valley HMA and 56 percent combined with the Maverick-Medicine HMA under the Proposed Plan and Current Numbers Alternative.

TABLE 4
WILD HORSE HERD SIZE FOR PROPOSED PLAN AND ALTERNATIVES

Herd Areas	Herd Size		
	Proposed Plan	No Action Alternative	Current Numbers Alternative
Antelope Valley	240	164	538
Cherry Creek	(combined)	64	(combined)
Goshute	160	120	396
Maverick-Medicine	389	244	770
Spruce-Pequop	82	80	82
Toano	0	20	0
Total	871	692	1,786

TABLE 5
ACREAGE OF WILD HORSE HERD AREAS

Herd Areas	Acres by Ownership Category		Totals	
	Public Lands	Private Lands	Proposed Plan and Current Numbers Alternative	No Action Alternative
Antelope Valley	400,000	1,500	463,540	401,500
Cherry Creek	138,000	3,000	(combined)	141,000
Goshute	266,800	16,000	250,800[1]	282,800
Maverick-Medicine	207,000	500	286,460	207,500
Spruce-Pequop	172,000	34,000	138,000[2]	206,000
Toano	57,500	57,500	0[3]	115,000
Total	1,241,300	112,500	1,138,800	1,353,800

[1] The reduction in acreage between the Proposed Plan and the Current Numbers Alternative and the No Action Alternative is because approximately 32,000 acres within checkerboard land areas will be managed as a wild horse free area.

[2] The reduction in acreage between the Proposed Plan and the Current Numbers Alternative and the No Action Alternative is because approximately 68,000 acres within checkerboard land areas will be managed as a wild horse free area.

[3] This area will be managed as a wild horse free area.

IV. AFFECTED ENVIRONMENT

The Affected Environment section provides additional information to assist the reader in understanding the existing situation and the current problems encountered with managing wild horses in the Wells Resource Area. For a more detailed discussion of the environment within the areas of concern, refer to the Draft Wells Resource Management Plan and Environmental Impact Statement of May, 1983.

The following additional information is displayed by resource category:

WATER

Six water developments were identified to be developed under the existing Wells RMP. Two of these waters have been developed (see Map 4, page 13) and four remain to be developed. Four additional waters need to be developed to provide adequate water for wild horses. Their locations will be specifically identified during HMA plan preparation and will be constructed as funds become available.

Numerous springs within HMAs provide an adequate quantity of water for grazing animals. However, current water quality is poor as springs are trampled and water is degraded by mud and fecal matter.

Inadequate water sources exist on the west side of the Goshute Mountains, Medicine Range, Currie Hills, and the area east of U.S. Highway 93 in the Antelope Valley HMA.

There are also wells developed with private funds located within the HMAs that are pumped only when livestock are present and are not considered permanent or dependable water sources for wild horses.

WILD HORSES

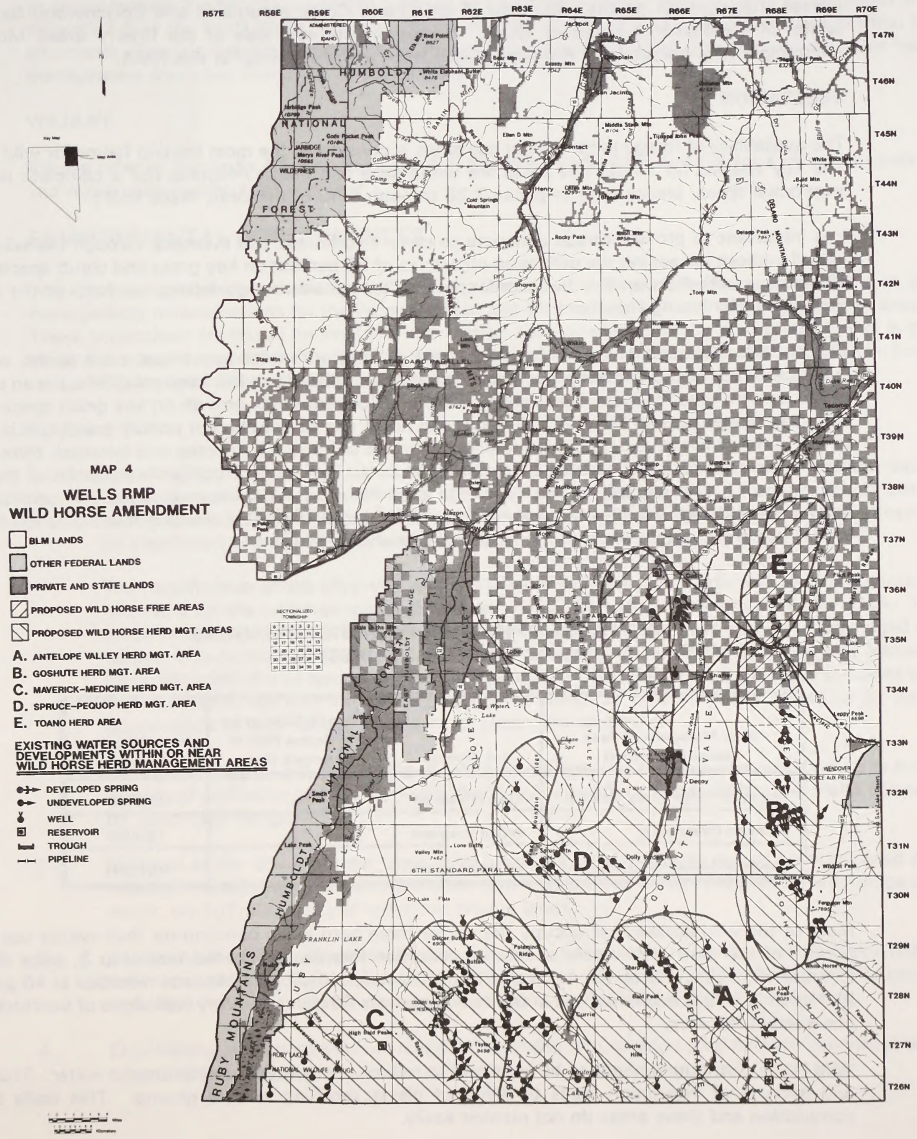
The most recent inventory information on wild horse numbers is listed in Table 6 below.

TABLE 6
WILD HORSE INVENTORY INFORMATION

Herd Area	Number of Horses	Date of Inventory	Projected Current No.[1]
Antelope Valley	336	2/91	484
Cherry Creek	180	7/91	216
Goshute	229	3/90	396
Maverick-Medicine	507	7/91	608
Spruce-Pequop	193	6/91	232
Toano	28	10/89	41
Totals	1,473		1,977

[1] The current numbers of wild horses were determined by using a 20 percent annual increase. This percentage is a result of data obtained from wild horse gathers conducted statewide. Totals were calculated by using the number of foaling seasons from the last inventory through the time this amendment is projected to be completed in October, 1992.

Problems exist with the current fencing between the Currie and Spruce Allotments. Fences have impeded wild horse movements affecting wild-free roaming behavior. Wild horses have run into fences not only causing damage to the fence, but also injury or death to themselves.


MAP 4
WELLS RMP
WILD HORSE AMENDMENT
BLM LANDS
OTHER FEDERAL LANDS
PRIVATE AND STATE LANDS
PROPOSED WILD HORSE FREE AREAS
PROPOSED WILD HORSE HERD MGT. AREAS
A. ANTELOPE VALLEY HERD MGT. AREA
B. GOSHUTE HERD MGT. AREA
C. MAVERICK-MEDICINE HERD MGT. AREA
D. SPRUCE-PEQUOP HERD MGT. AREA
E. TOANO HERD AREA
EXISTING WATER SOURCES AND DEVELOPMENTS WITHIN OR NEAR WILD HORSE HERD MANAGEMENT AREAS
DEVELOPED SPRING
UNDEVELOPED SPRING
WELL
RESERVOIR
TROUGH
PIPELINE
R57E
R58E
R59E
R60E
R61E
R62E
R63E
R64E
R65E
R66E
R67E
R68E
R69E
R70E
T47N
T46N
T45N
T44N
T43N
T42N
T41N
T40N
T39N
T38N
T37N
T36N
T35N
T34N
T33N
T32N
T31N
T30N
T29N
T28N
T27N
T26N
HUMBOLDT
NATIONAL
FOREST
6TH STANDARD PARALLEL
RUBY MOUNTAINS
RUBY LAKE
NATIONAL WILDLIFE REFUGE
FRANKLIN LAKE
GOSHUTE VALLEY
ANTELOPE VALLEY
A
B
C
D
E

The horses on unfenced private lands within the checkerboard land pattern areas, are using private forage and water. The waters are also being trampled and water quality degraded by mud and fecal matter.

The ridge line in the Cherry Creek Mountains essentially divides the current Cherry Creek Herd Area. Horses that summer on the west side of the Cherry Creek Mountains and Cottonwood Basin also winter in the Maverick-Medicine HMA. Horses on the east side of the Cherry Creek Mountains intermingle with horses from Antelope Valley HMA and also winter in this HMA.

VEGETATION

The availability of forage in the winter use areas is considered the most limiting factor for wild horses. The key species for winter use areas are white sage and Indian ricegrass (for a complete listing of vegetative types, please refer to pages 3-25 through 3-30 of the Draft Wells RMP).

It is important to provide forage adequate to carry wild horses and livestock through the winter use period without exceeding the utilization objectives of 55 percent on key grass and shrub species. The 55 percent utilization level is in accordance with the monitoring guidelines set forth in the Nevada Rangeland Monitoring Handbook.

The current utilization objective for wild horse grazing on winter use areas, prior to the entry of livestock which occurs between November 1st and December 31st, has been established at an average of ten percent (see footnote 4 on Tables 1 and 3) of current years growth on key grass species such as Indian ricegrass (see Table 7). Limiting wild horse use to ten percent on key grass species, prior to the entry of livestock, should leave enough forage to carry wild horses and livestock through the winter use period and not exceed utilization objectives. Ten percent use is the midpoint of the slight use category and managing for this utilization level will maintain or improve vegetation condition and maintain a thriving natural ecological balance. Wild horse use has exceeded this utilization limit on winter use areas within three of the herd areas as shown in Table 7.

TABLE 7
WILD HORSE UTILIZATION ON WINTER USE AREAS
PRIOR TO ENTRY BY LIVESTOCK

Herd Management Area (Area data taken)	Key Species	Percent Utilization by Wild Horses Prior to Livestock Use	Date Utilization Measured
Antelope Valley (Dolly Varden)	Indian ricegrass	48	11/7/90
Goshute (West side)	Indian ricegrass	59	12/7/90
Maverick-Medicine (North side)	Indian ricegrass	40	10/16/91

Most of the wild horses that occupy the above three herd areas concentrate their winter use in the portion of the herd area where excessive utilization has been recorded (see Map 2, page 6). On October 16, 1991, use on the north side of the Maverick-Medicine HMA was recorded at 40 percent. By March 3, 1992, combined use in the same area was 80 percent. Very little signs of livestock were observed in the area.

Wild horse distribution needs to be improved to reduce concentration areas around water. Trampling and overuse of vegetation leads to death of plants resulting in bare ground. This leads to soil compaction and these areas do not recover easily.

LIVESTOCK

The location of the grazing allotments in relation to the 1971 Wild Horse Herd Area are shown on Map 5, page 16. Grazing systems have been implemented on the Currie, West Cherry Creek, and North Butte Valley Allotments. Construction of the few fences to implement these systems were built to accommodate the normal movement patterns of wild horses (please refer to Table 2-1 on pages 2-3 through 2-6 of the Draft Wells RMP and EIS for a listing of livestock grazing preferences (AUMs) by allotment). Existing livestock fences and allotment boundaries in relation to proposed wild horse herd management areas are shown on Map 6, page 17.

WILDLIFE

(Please refer to Appendix A3-1 on page A3-2 of the Draft Wells RMP and EIS for a listing of existing and reasonable numbers for wildlife.)

V. ENVIRONMENTAL CONSEQUENCES

This section outlines the environmental consequences that will result from implementation of the management determinations for the Proposed Plan and Alternatives as listed under heading III. above. These projections are based on available information and knowledge of the area by personnel in the Wells Resource Area and the Elko District. Any numbers given are approximate and are used as a basis to quantify impacts. The reader should not infer that they reflect exact or precise totals.

Proposed Plan:

1. The development of eight water sources would provide for higher quality water and better distribution of water for all animals. Development of existing springs would provide better quality water and development of new waters would improve distribution and reduce pressure on vegetation around existing waters.

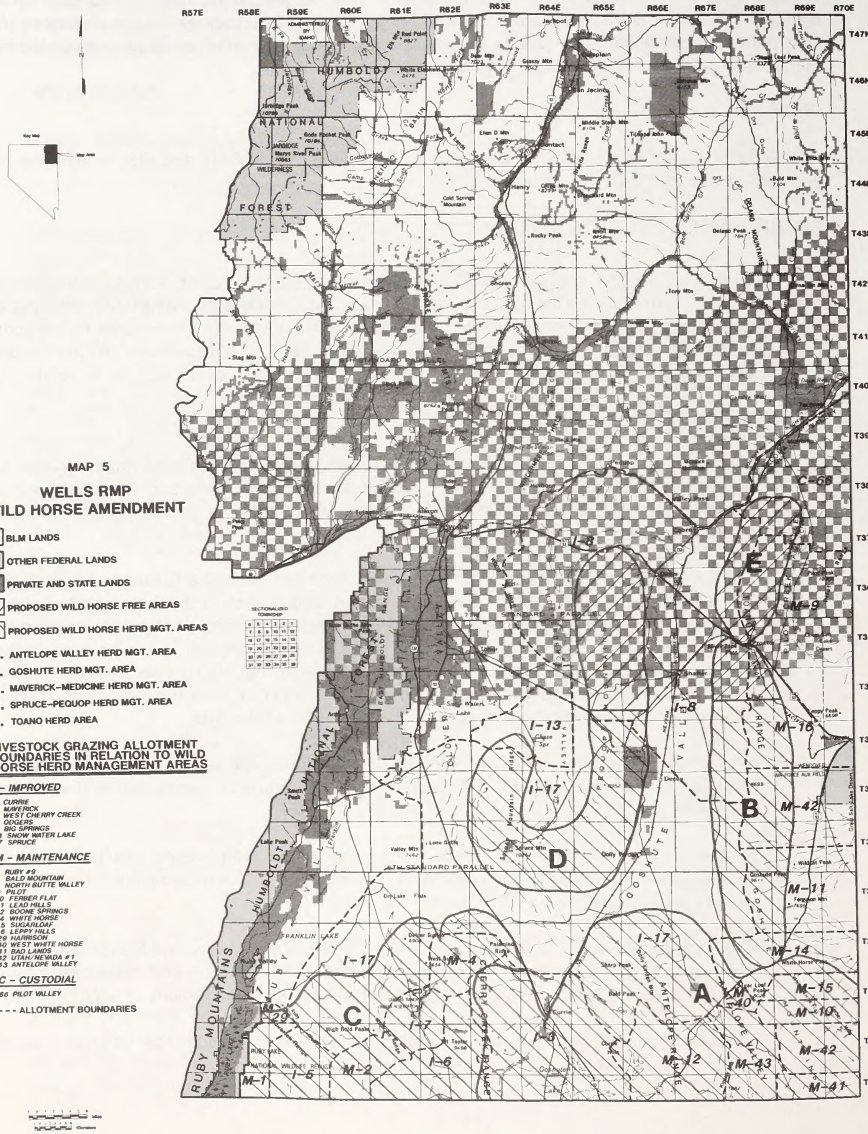
   The modification of the allotment boundary fence between the Currie and Spruce Allotments will allow for the wild-free roaming behavior of wild horses in the Antelope Valley HMA. The fence will be modified to a let-down fence in areas where horses have continually damaged the fence. This portion would be let down when livestock are not in the area not only allowing free movement of wild horses between the allotments, but also preventing injury to horses that may otherwise run into the fence. During the period of time the fence would be let down corresponds to wild horse movements between the allotments.

   Maintaining initial herd size would reduce competition and tendency for wild horses to move outside of wild horse HMAs. With increasing horse numbers, bands within the HMAs compete for space and forage.

2. Removal of the checkerboard lands from areas where wild horses would be maintained and managed would reduce or eliminate most conflicts, such as consumption of private forage and water, on 107,500 acres of unfenced private lands.

3. Combining the Cherry Creek Herd Area with the Antelope Valley and Maverick-Medicine HMAs will more accurately reflect the actual on-the-ground occupation and movement of wild horses and allow for more efficient planning, monitoring, and management of wild horses.

4. Establishing initial herd size will maintain a thriving natural ecological balance consistent with other multiple uses.


MAP 5
WELLS RMP
WILD HORSE AMENDMENT
BLM LANDS
OTHER FEDERAL LANDS
PRIVATE AND STATE LANDS
PROPOSED WILD HORSE FREE AREAS
PROPOSED WILD HORSE HERD MGT. AREAS
A. ANTELOPE VALLEY HERD MGT. AREA
B. GOSHUTE HERD MGT. AREA
C. MAVERICK-MEDICINE HERD MGT. AREA
D. SPRUCE-PEQUOP HERD MGT. AREA
E. TOANO HERD AREA
LIVESTOCK GRAZING ALLOTMENT BOUNDARIES IN RELATION TO WILD HORSE HERD MANAGEMENT AREAS
I - IMPROVED
3 CURRIE
5 MAVERICK
6 WEST CHERRY CREEK
7 GOGERS
8 BIG SPRINGS
13 SNOW WATER LAKE
17 SPRUCE
M - MAINTENANCE
1 RUBY #9
2 BALD MOUNTAIN
4 NORTH BUTTE VALLEY
9 PILOT
10 FERBER FLAT
11 LEAD HILLS
12 BOONE SPRINGS
14 WHITE HORSE
15 SUGARLOAF
16 LEPPY HILLS
29 HARRISON
40 WEST WHITE HORSE
41 BAD LANDS
42 UTAH/NEVADA #1
43 ANTELOPE VALLEY
C - CUSTODIAL
66 PILOT VALLEY
- - - ALLOTMENT BOUNDARIES
R57E
R58E
R59E
R60E
R61E
R62E
R63E
R64E
R65E
R66E
R67E
R68E
R69E
R70E
T47N
T46N
T45N
T44N
T43N
T42N
T41N
T40N
T39N
T38N
T37N
T36N
T35N
T34N
T33N
T32N
T31N
T30N
T29N
T28N
T27N
T26N
HUMBOLDT
NATIONAL
FOREST
RUBY MOUNTAINS
GOSHUTE VALLEY
ANTELOPE VALLEY
A
B
C
D
E
I-8
I-13
I-17
I-7
I-6
I-5
I-3
I-12
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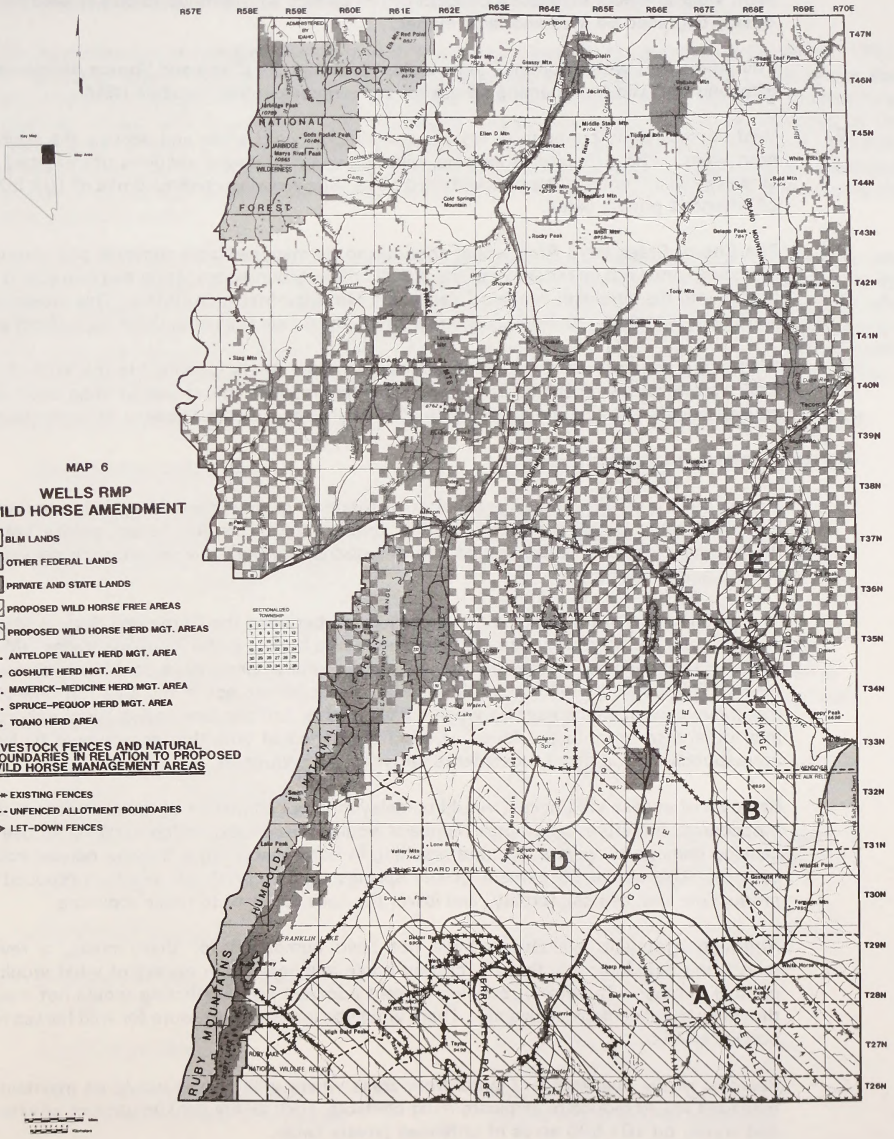
I-15
I-16
I-18
M-1
M-2
M-4
M-9
M-10
M-11
M-12
M-14
M-15
M-16
M-29
M-40
M-41
M-42
M-43
C-66
SECTIONALIZED TOWNSHIP


MAP 6
WELLS RMP
WILD HORSE AMENDMENT
BLM LANDS
OTHER FEDERAL LANDS
PRIVATE AND STATE LANDS
PROPOSED WILD HORSE FREE AREAS
PROPOSED WILD HORSE HERD MGT. AREAS
A. ANTELOPE VALLEY HERD MGT. AREA
B. GOSHUTE HERD MGT. AREA
C. MAVERICK–MEDICINE HERD MGT. AREA
D. SPRUCE–PEQUOP HERD MGT. AREA
E. TOANO HERD AREA
LIVESTOCK FENCES AND NATURAL BOUNDARIES IN RELATION TO PROPOSED WILD HORSE MANAGEMENT AREAS
EXISTING FENCES
UNFENCED ALLOTMENT BOUNDARIES
LET–DOWN FENCES
SECTIONALIZED TOWNSHIP
R57E R58E R59E R60E R61E R62E R63E R64E R65E R66E R67E R68E R69E R70E
T47N T46N T45N T44N T43N T42N T41N T40N T39N T38N T37N T36N T35N T34N T33N T32N T31N T30N T29N T28N T27N T26N
HUMBOLDT NATIONAL FOREST
RUBY MOUNTAINS
A
B
C
D
E

No Action Alternative:

1. Four additional waters proposed in the Proposed Plan and the Existing Numbers Alternative would not be developed, thus not helping provide for better distribution of horses in all herd areas. This will continue to create grazing pressure on vegetation near water causing reduced plant vigor and poor vegetative condition. The springs will continue to be trampled and water quality degraded by mud and fecal matter.

   Wild horse drift would continue to be limited between the Currie and Spruce Allotments, thus affecting the wild free-roaming nature for some horses in the Antelope HMA.

2. Wild horses would continue to exist in the checkerboard areas and occupy the entire 1971 herd areas. The difficulty of keeping wild horses off alternate sections of unfenced private lands would continue in the checkerboard areas thus allowing continued use of 107,500 acres of unfenced private lands.

3. The Cherry Creek Herd Area would continue to be managed as a separate and distinct herd area, but would not be reflective of the actual on-the-ground occupation and movement of wild horses into the adjoining Antelope Valley and Maverick-Medicine HMAs. This would result in inefficient planning, monitoring, and management of wild horses in these three herd areas.

4. Wild horse numbers have not been maintained to the levels identified in the Wells ROD and RMP as a result of recent court rulings. This has resulted in overuse of vegetation and has caused horses to begin moving outside of herd area boundaries because of overcrowding.

Current Numbers Alternative:

1. Higher quality water sources and better distribution of water would provide improved wild horse habitat. Development of existing springs would provide better quality water and development of new waters would improve distribution and reduce pressure on vegetation around existing waters.

   The modification of the allotment boundary fence between the Currie and Spruce Allotments will allow for the wild-free roaming behavior of wild horses in the Antelope Valley HMA. The fence will be modified to a let-down fence in areas where horses have continually damaged the fence. This portion would be let down when livestock are not in the area not only allowing free movement of wild horses between the allotments, but also preventing injury to horses that may otherwise run into the fence. During the period of time the fence would be let down corresponds to wild horse movements between the allotments.

   Removal of excess wild horses would be delayed until completion of the allotment evaluation procedures; therefore, wild horse numbers would increase exceeding established use levels, causing damage to vegetation, and resulting in not maintaining a thriving natural ecological balance. Use above 55 percent of key species by March 31 will result in reduced forage production, reduced soil fertility, and lower the soils capacity to retain moisture.

   Although allotment evaluations have not been completed for these areas, a review of monitoring data indicates that the current horse numbers are in excess of what would be an optimal number. Therefore, retaining current numbers and monitoring would not maintain a thriving natural ecological balance. There would be increased pressure for wild horses to move outside HMAs.

2. Removal of the checkerboard lands from areas where wild horses would be maintained and managed would reduce or eliminate most conflicts, such as the consumption of private forage and water, on 107,500 acres of unfenced private lands.

3. Combining the Cherry Creek Herd Area with the Antelope Valley and Maverick-Medicine HMAs will more accurately reflect the actual on-the-ground occupation and movement of wild horses and allow for more efficient planning, monitoring, and management of wild horses.

VI. COORDINATION, CONSISTENCY, AND PUBLIC PARTICIPATION

The determination to complete the Wells RMP Wild Horse Amendment was made in December, 1991. A "Notice of Intent" was published in the Federal Register on January 27, 1992. This notice also included a scoping period during which the public was requested to assist the BLM in identifying planning issues, planning criteria, and identifying alternatives they wish to be analyzed in the amendment. A letter to all interest groups, individuals, and agencies was sent on February 6, 1992. A news release was prepared and sent to all newspapers in northern Nevada. Fifteen people submitted written or verbal comments during scoping. These comments were used to help the BLM prepare the draft plan amendment.

The Wells RMP Draft Wild Horse Amendment and EA was made available for a 30 day public review period in early June, 1992. A "Notice of Availability" of the draft document was published in the Federal Register on June 9, 1992. It was mailed to all individuals, agencies, and groups who expressed an interest in this planning process (see list below). A news release was also prepared and sent to all newspapers in northern Nevada indicating the availability of the draft document and asking for public review and comment. The public comment period for the draft ended on July 15, 1992.

Agencies, Organizations, and Persons to Whom the Draft and Proposed Amendments were sent:

Congressional Delegation

US Senator Richard Bryan
US Senator Harry Reid
US Congressman James Bilbray
US Congressman Barbara Vucanovich

Federal Agencies

US Fish and Wildlife Service

State Agencies

Nevada State Department of Agriculture
Department of Conservation and Natural Resources
Division of State Lands
Nevada State Clearinghouse
Nevada Department of Wildlife

Native American Councils

ToMoak Band Western Shoshone (Lee, NV)

Local Government

Elko County Commissioners
Elko County Planning Commission

Other Organizations

Alliance for Animals
American Bashkir Curley Register
American Horse Protection Association
American Humane Association
American Mustang and Burro Association
American Mustang Association, Inc
Animal Protection Institute of America
Barbara Eustis-Cross L.I.F.E. Foundation
Commission for the Preservation of Wild Horses and Burros
Fund for Animals
H&R Livestock
Holtz, Inc.
Humane Society of Southern Nevada
International Society for the Protection of Wild Horses and Burros (Reno, NV)
International Society for the Protection of Wild Horses and Burros (Scottsdale, AZ)
L.W. Peterson, Inc.
Lincoln Land and Livestock
National Mustang Association, Inc.
National Wild Horse Association
Nevada Cattlemen's Association
Nevada Farm Bureau Federation

Nevada Federation of Animal Protection Organizations
Nevada Humane Society
Nevada Land Action Association
Nevada Land and Cattle Co.
Nevada Outdoor Recreation Association
Nevada Stockman
Save the Mustangs
Sierra Club (Reno, NV)
The Nature Conservancy
The Nevada Rancher
Thousand Peaks Ranches, Inc.
United States Humane Society
United States Wild Horse and Burro Foundation
Western American Society Animal Science
Wild Horse Organized Assistance

Individuals

Deborah Allard
Susie Askeu
Earl Bingham Family
Demar Dahl
William G. and Elizabeth A. Dickinson
Craig C. Downer
Steve Fulstone
Clifton P. and Bertha Gardner
Dave Hornbeck
Blair Johns
Ken Jones
Charles R. Kippen and Sons
Erin Lear
Louise Lear et.al.
Walt Leberski
Donald Molde, Dr.
Roberta Munger
Bert Paris and Sons
Mike Pontrelli
Dean Rhoads
C. Jean Richards
Metta B. Richens
Edgar B. Robinson, Jr.
Reed B. Robinson
Deloyd Satterhwaite
Alan Sharp
Cindra Smith
Loyd Sorenson
Von L. and Marian Sorenson
Stowell Brothers
Harry Wilson
Charles M. and John H. Young

Public Libraries

Elko County Library
Wells Library
West Wendover Branch Library

BLM Offices

Elko District Office
3900 East Idaho Street
P.O. Box 831
Elko, Nevada 89801

Nevada State Office
P.O. Box 12000
850 Harvard Way
Reno, Nevada 89520

Written Comments Received on the Draft Plan

Three comment letters were received during the 30 day public review period of the draft document. Each letter was reviewed and all substantive comments which questioned facts or analysis or commented on issues discussed in the Draft Plan Amendment have been evaluated and responded to in this document (see Appendix A).

VII. LIST OF PREPARERS

This amendment was prepared by an interdisciplinary team of resource specialists from the Wells Resource Area, Elko District (see Table 8).

TABLE 8
LIST OF PREPARERS

NAME	TITLE	DISTRICT
Bruce Portwood	District Wild Horse Specialist	Elko District
Karl Scheetz	Supervisory Range Conservationist	Elko District
Leticia Gallegos	Range Conservationist	Elko District

VIII. FINDING OF NO SIGNIFICANT IMPACT

I have reviewed the Wells RMP Proposed Wild Horse Amendment and Environmental Assessment. Based on the analysis of potential environmental impacts contained in this document, I have determined that the impacts are not expected to be significant and an environmental impact statement is not required.

Billy R. Templeton, State Director

11/2/92
Date

APPENDICES

COMMENT LETTERS AND RESPONSES TO ISSUES RAISED

APPENDIX A

COMMENT LETTERS AND RESPONSES TO ISSUES RAISED

On the following pages are copies of comment letters received on the Draft Amendment followed by responses to their issues. Each issue addressed in the comment letter has been given a number in the left margin. The response to each issue, with a corresponding number, follows each comment letter.

P.O. Box 661
Lomona, CA 91769
June 28, 1992

RECEIVED
BUREAU OF LAND MANAGEMENT
ELKO DISTRICT OFFICE
JUL -6 1992 7:30 A.M.

ELKO DISTRICT
DM
RES
ADMI
UPS
ERA
WRA
PEC
CF
CODE:
X=ACTION

District Wild Horse Specialist
B L M
P.O. Box 831
Elko, NV 89801

Dear Sir:

I write this letter to comment on the Draft Wild Horse Amendment and Environmental Assessment.

I support Alternative 2, the preferred alternative, although I feel that once again it is the true aim of the B. L. M. to ultimately destroy all of the wild horses for the sake of private citizens who want the range. 1-1

Sincerely,

Dr. Edgar B. Robinson Jr.

RESPONSE TO LETTER NO. 1

1-1 The purpose of the Wild Horse Amendment to the Wells Resource Management Plan is to establish herd management areas (HMA) and initial management levels for wild horses. It is proposed to continue to manage wild horses in four HMAs involving 1,138,800 acres of public lands.

ELKO DI
DM
RES
ADM
MPS
FDA
WRA
PEC
CF
CODE:
X-ACTI

Input: Wells RMP, Draft Wild Horse Amend. & E.A.
July 2, 1992

RECEIVED
BUREAU OF LAND MANAGEMENT
ELKO DISTRICT OFFICE
JUL -6 7:58 AM

District Manager
Bureau of Land Management, P.O. Box 831
Elko, Nevada 89801
Attention: District Wild Horse Specialist

Dear Sirs:

I just finished reading your "Wells Resource Management Plan, Draft Wild Horse Amendment and Environmental Assessment" and thank you for sending it to me. While I commend your efforts to provide for the wild horses, I am not satisfied with the decision you are announcing here. Although still not content, of the three alternatives presented, Alternative 3 seems the best. I object to the reduction of herd area size by elimination of checkerboard herds. I know that your regulation or policy states that you must do this at the request of any private landowner, but this is a serious flaw and shows that the BLM is not willing to "go to bat" for the wild horses. After all, these same adjacent private land owners are themselves utilizing the
2-1 public lands for their grazing of livestock. It is only proportionate or fair then that they accomodate the wild horses in the area. There is leverage here to gain much needed respect for the wild horses if only the government officials would employ it. I thus object ot the removal of horses from the Toano Herd Area and portions of the Goshute and Spruce-Pequop Herd Areas until you have negotiated for their retention. If any private landowner can cause the entire removal of a herd of wild equines, I see the distinct possibility for the eventual demise of the wild horses. Those that remain will be no longer truly wild, but prisoners in artificially controlled pastures.

I commend you on the development of water sources and recommend that other habitat requirements be ensured: forage, shelter, mineral, area, etc., in order to meet the needs of a viable herd population. I would say that 500 breeding
2-2 adults or about 750 total herd size would be required to avoid overbreeding and allow survival of the herd in the long-term. I recommend a variety of topographic situations for each herd area, including both valleys and mountains, wherever possible. Thus the horses can descent in the cold winter and ascend during the summer, rotating their grazing pressure as they do. This also relates to their avoiding becoming the brunt of fierce blizzards during the winter of becoming victims of intense heat and sun during the long summers. It is more truly what is meant by "maintaining thriving, free-roaming wild horse populations".

On page 14, I am very doubtful of the 20% rate of increase for the wild horse populations. If the horses are reproducing near their biological maximum, this would
2-3 indicate that there is a vacant niche for them which they are naturally trying to fill on the public range. At least they should be allowed to bring their herd sizes up to minimally viable populations.

On page 19, under Alternative 3: Current Numbers, I

commend the modification of the fence in order to allow for the wild, free-roaming behavior of the wild horses in the Antelope Valley HMA. This would ensure the completion of the wild horse's migration patterns which represent their attempts to balance forage consumption over time and allow the regeneration of grazing areas according to instinctive, age-old patterns. This also related to the their obtaining an adequate and balanced diet.

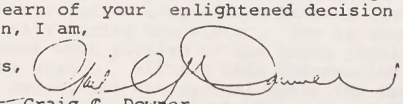
2-4 On page 20, I am not satisfied with the arguments concerning grazing pressure of the wild horses as reasons for rejecting Alternative 3. This seems arbitrary and self justifying. Instead the BLM should display more forthrightness in arguing for decent herd sizes and the habitat requirements that go with them! BLM, meaning its public employees, must not be too willing or eager to concede to public lands' exploiters when deciding how many wild horses will remain, how large an area they shall occupy, etc.

2-5 Though of the three alternatives I favor #3, I still object to its plan to eliminate wild horses on checkerboard lands, for reasons given above, and to the combining of the Cherry Creek Herd Area with the Antelope Valley and Maverick-Medicine HMA's. The reasons given sound OK, but combining the three would weaken the wild horse's political presence, tending to further whittle down the populations in the long run.

2-6 Finally, I second the motion to continue careful monitoring of range condition, but insist that actual impact of the wild horses be distinguished from that of other herbivores: cattle, sheep, and other wild animals. Too often there is a tendency to lump these grazing pressures. Since no one is directly profiting from the wild horse -- except in spirit or in ecological ways that are not commonly thought of -- the wild horse too often becomes the scapegoat for vested interests. Consequently, it is the duty of government employees to uphold the full intent of the law and not cave in to vested interests, who become remarkably blind to the natural values when short-term profit or advantage is to be had. BLM's pre-1988 manuals indicate how to distinguish among the different species as to grazing pressure, and I recommend that you employ them. Also consider the entire picture of the public lands, so that the wild horses are not overly magnified wherever they occur. In fact they are only a small portion of the public lands grazing pressure, i.e. less than one percent. Please don't begrudge them even this. Personally I think they deserve at least ten percent.

-- It's great being able to again comment on your plans for the wild horses; and don't think that I fail to appreciate your work and careful consideration of the public interest. Hoping to learn of your enlightened decision and to visit the herds soon, I am,

Respectfully yours,



Craig C. Downer
P.O. Box 456, Minden, Nevada 89423

RESPONSE TO LETTER NO. 2

2-1 The Wild Horse and Burro Act, P.L. 92-195, as amended, states that wild horses will be removed from private lands when requested by the owner (see Sec. 4 of the Act). This Amendment will provide for the establishment of wild horse herd management areas (HMA), eliminate wild horse conflicts on private lands, and provide for improved management of wild horses in the Wells Resource Area.

2-2 By law, populations of wild horses must be managed for a thriving ecological balance. This takes into consideration use by other grazing animals. This amendment outlines the initial wild horse herd size by herd management area to meet an ecological balance. Monitoring and allotment evaluations will determine any long-term adjustments in numbers. All four herd management areas contain a variety of topographic features to allow for year round wild horse habitat.

2-3 The 20 percent annual increase is based on data obtained from wild horse gathers conducted statewide (see Table 3, footnote 2 on page 11 and Table 6, footnote 1 on page 14 of the Draft Amendment). Allowing wild horse populations to increase would be detrimental to the vegetation resource and would not maintain a thriving ecological balance for all animals.

2-4 The discussion on page 20 of the Draft amendment is part of the environmental consequences if Alternative 3 is implemented. It is based on established utilization limits to protect vegetation developed through range management research and the Nevada Task Force Monitoring Handbook.

2-5 See response 2-1 for a discussion of the removal of wild horses from checkerboard lands.

HMAs were combined to assist with management of wild horse herd areas and to more accurately represent wild horse movements and year-long habitat requirements as was discussed on page 19 and 20 of the Draft Amendment.

2-6 Monitoring of range condition in Nevada is conducted in accordance with the Nevada Task Force Monitoring Handbook.

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WEST GERMANY
(69) 281647/48

July 15, 1992

Bruce Portwood
Elko District Wild Horse Specialist
Bureau of Land Management
P.O. Box 831
3900 East Idaho Street
Elko, Nevada 89801

re: Wells RMP Wild Horse Amendment

Dear Mr. Portwood:

I am writing on behalf of the American Horse Protection Association, Inc., to comment on the draft wild horse amendment/environmental assessment to the Wells Resource Management Plan.

AHPA certainly approves of the Bureau's decision to amend the RMP to insure that wild horse herd management areas are included in the Wells RMP. It also approves of BLM's intention to develop water sources to improve wild horse distribution in the HMAs. However, the Association has a number of questions and comments concerning the proposed action, especially the decision to reduce horse numbers by approximately 50 percent. They are as follows.

3-1 1. There is almost no information in the draft amendment which explains the current condition of vegetation in each of the HMAs, its trend, total AUM production and potential, the number of livestock using the HMAs (both historically and currently), and the seasons of livestock use. It is apparent that the reduction of wild horse numbers proposed in Alternative 2 is based in large part on anticipated competition between livestock and wild horses, especially during the winter. Nor is there any specific information about what portion of the horse populations depend on the winter use areas. Without this information it is extremely difficult to understand the factual basis for the Bureau's proposal and to comment in a meaningful way. Nor does it appear that there is any reason to reduce the size of the wild horse herds significantly.

2. It is also difficult for AHPA to understand the significance of the data presented in Table 7, regarding wild horse utilization on winter use areas. How was this utilization determined? How many study plots were examined, and on what portions of the winter use areas? How did BLM ascertain that this utilization was by wild horses alone? Without this information, it is impossible to conclude if the data reported is representative of all of the winter use areas. 3-2

3. How, and why, did BLM determine that a 10 percent utilization by wild horses on the winter use area, prior to the entry of livestock, was appropriate? What proportion of the remaining use (45%) during the winter is attributable to livestock? 3-3

4. AHPA disagrees with the Bureau's use of a 20% net rate of increase in herd size, both because it is grossly excessive on a year-in, year-out basis, and because it may not be at all typical of the actual recruitment rate in each of the individual HMAs. Furthermore, even using the 20% rate, Table 6 overstates the projected current population of Antelope Valley by at least 40 animals. 3-4

5. It is not clear from the draft that requests to remove wild horses from private lands relate to all three HMAs in which checkerboard lands appear, or for the entire checkerboard area in those HMAs. The draft should specify where requests have been made; if they do not cover all of the checkerboard areas, the draft should explain why the proposed action is appropriate. 3-5

More generally, AHPA disagrees with the Bureau's contention that when a documented 1971 HMA involves some private land, the "most reasonable" way to address wild horse use of private lands is to remove the horses. If horses were using private lands in 1971 as part of their historic ranges, the Wild Horse Act seems to protect them there.

6. How many AUMs do the checkerboard lands in the HMAs produce? Will livestock numbers on the public lands in these areas be permitted to increase after the horses are removed? If so, by how many, and during what seasons of use? 3-6

7. The proposed fence in the Spruce-Pequop HMA appears to be located two miles south of the closest private land, and four 3-7

3-7 miles south of most of the private land. Why isn't it located close to the private land boundary, as it is in the Goshute HMA?

8. AHPA cannot comment regarding the proposal to combine the Cherry Creek HMA with the Antelope Valley and Maverick-Medicine HMAs because the draft does not contain adequate information. The Association does recognize that the rationale 3-8 for this decision is to "more accurately reflect the actual on-the-ground occupation and movement of wild horses." However, the draft contains no information describing wild horse use and movement patterns, and it is difficult to determine from Map 6 whether natural or artificial boundaries play a significant part in the decision.

Furthermore, AHPA does not understand why 25 percent of the Cherry Creek herd population has been incorporated in the Antelope Valley HMA (Table 2, note 3) when 44 percent of the total herd area will be combined with Antelope Valley (page 7, 3-9 management determination 2). Does the majority of the herd have its home ranges in the western portion of the Cherry Creek HMA, closer to Maverick Medicine? If so, how was this determined? How does it relate to the herd sizes established by the proposed action?

Because the Association has so many fundamental questions regarding the rationale for the preferred alternative which are not answered in the draft/EA, AHPA must oppose the draft. The 3-10 Association asks that the draft be amended to provide the information it has requested above, and recirculated so that AHPA and other interested parties can have an effective opportunity to comment.

Thank you for your courtesy and assistance.

Very truly yours,

Russell J. Gaspar
Attorney for American Horse
Protection Association, Inc.

cc: Robin C. Lohnes

RESPONSE TO LETTER NO. 3

3-1 The Draft Amendment document is the first step in the amendment process to the original Wells Resource Management Plan (RMP) and as such does not repeat the volume of information from the original document. Most of the information asked for is found in the original RMP,

The information concerning winter use and use by wild horses prior to livestock entry may be found on page 15 and Table 7 of the Draft Amendment. Table 7 indicates use by wild horses prior to entry by livestock. This use is at or exceeds what should be the total use for the winter season by all classes of grazing animals.

3-2 Utilization was measured at key areas located within the winter use areas. In addition, use pattern maps were made of each winter use area. Since no livestock were authorized or observed in the areas prior to when utilization was measured, all use was determined to be by wild horses.

3-3 When use prior to livestock entry did not exceed 10 percent, the total use by all animals did not exceed 55 percent at the end of the grazing season. As use by wild horses has increased prior to livestock entry, the total combined use has exceeded the 55 percent level (55 percent utilization by the end of the grazing season has been determined to be the proper use level for key forage plants of these areas). At the present time, wild horse use prior to livestock entry is at or exceeds the 10 percent level.

3-4 The 20 percent annual increase is based on data obtained from wild horse gathers conducted statewide (see Table 3, footnote 2 on page 11 and Table 6, footnote 1 on page 14 of the Draft Amendment). In Table 6, the projected current number of wild horses for Antelope Valley HMA is corrected to 484 and the projected current number for Goshute HMA is corrected to 396 wild horses.

3-5 Requests to remove horses from private lands have been received for the Spruce-Pequop and Goshute HMAs. No requests have been received for the Toano HMA, however with the amount of private land involved and as horse numbers increase, conflicts may arise. This amendment makes the determination that wild horses will not be managed in the checkerboard areas and will allow for their removal from these areas to resolve current conflicts with private lands and to prevent future conflicts. The Wild Horse and Burro Act, PL 92-195, as amended, protects wild horses on public land but does not protect them on private land (see Sec. 4 of the Act).

3-6 Animal unit months (AUMs) produced in the checkerboard areas of the Spruce-Pequop Herd Area is approximately 4,500 AUMs, the Goshute Herd Area is approximately 950 AUMs, and the Toano Herd Area is approximately 2,100 AUMs. Adjustment in livestock numbers in the Wells Resource Area will be through allotment monitoring and evaluations. The current season of use by livestock in the Goshute checkerboard area is winter; the Spruce-Pequop checkerboard area is spring/summer; and the Toano checkerboard area is winter.

3-7 The fence in question is a proposed allotment boundary fence for the management of livestock and will also serve to effectively keep wild horses from drifting from the south end of the Spruce-Pequop Herd Area to the north end (checkerboard area). There is very little advantage to building another fence two miles north of this proposed fence to prevent drift into the checkerboard area.

3-8 The rationale for combining herd areas is found on page 14 of the Draft Amendment.

3-9 The 25 percent refers to the wild horse population (numbers) and the 44 percent refers to area (acres). Existing monitoring has determined the initial herd size in the Preferred Alternative accommodates for the combining of these herd management areas. The majority of horses from the Cherry Creek herd area summers on the west side of the Cherry Creek mountains and winter in the Maverick/Medicine Herd Management Area.

3-10 In responding to issues you raised as well as those raised by other members of the public, it was determined that no significant changes were necessary to be made with the Draft Amendment. Therefore, the Draft Amendment will not be re-issued for further review and comment. Comments received on the draft has been used to prepare the Proposed Wells RMP Wild Horse Amendment and Environmental Assessment.

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(June 1984)

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